

# EXHIBIT A

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK: COMMERCIAL DIVISION PART 53

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LEO KUJAWA,

Plaintiff,

- v -

NEW YORK COMMUNITY BANCORP, INC., THOMAS R.  
CANGEMI, JOHN J. PINTO, ROBERT WANN,  
ALLESSANDRO P. DINELLO, DOMINICK CIAMPA,  
HANIF W. DAHYA, LESLIE D. DUNN, MARSHALL J. LUX,  
JAMES J. O'DONOVAN, LAWRENCE ROSANO, RONALD  
A. ROSENFELD, DAVID TREADWELL, LAWRENCE J.  
SAVARESE

Defendant.  
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INDEX NO. 153581/2024

MOTION DATE 11/14/2024

MOTION SEQ. NO. 003

**DECISION + ORDER ON  
MOTION**

HON. ANDREW BORROK:

The following e-filed documents, listed by NYSCEF document number (Motion 003) 36, 37, 38, 39, 40, 41, 42, 43, 44

were read on this motion to/for STAY.

Upon the foregoing documents, the motion (Mtn. Seq. No. 3) for a stay pursuant to CPLR § 2201 is GRANTED.

Both this case and the first filed *Lemm v. New York Community Bancorp, Inc. et al*, No. 24-cv-00903-NRM-JRC arise out of New York Community Bank's alleged false and misleading disclosure regarding its internal controls over financial reporting, risk management, asset quality, and accounting practices in connection with its acquisition and merger with Flagstar. A stay is thus warranted because there is "a substantial identity of parties," and "both actions arose out of the 'same subject matter or series of alleged wrongs.'" (*Mahar v. Gen. Elec. Co.*, 65 Misc.3d 1121, 1131 (N.Y. Sup. Ct. 2019) *aff'd*, 118 A.D.3d 534, 137 N.Y.S.3d 295 [2020]; citing *PK*

*Rest., LLC v Lifshutz*, 138 AD3d 434, 436 [1st Dept 2016]) to avoid inconsistent rulings and preserve judicial resources.

Accordingly, it is hereby ORDERED that Defendants’ motion seeking a stay is GRANTED.

12/8/2024

DATE

CHECK ONE:

☒

GRANTED

☐ DENIED

APPLICATION:

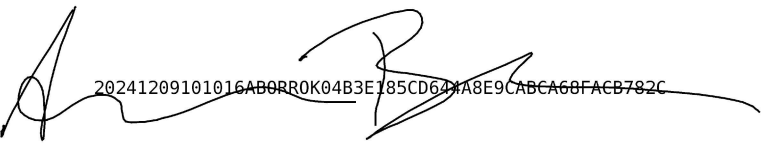
☐ SETTLE ORDER

☐ INCLUDES TRANSFER/REASSIGN

CHECK IF APPROPRIATE:

☐

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ANDREW BORROK, J.S.C.

☒ NON-FINAL DISPOSITION

☐ GRANTED IN PART

☐ SUBMIT ORDER

☐ FIDUCIARY APPOINTMENT

☐ OTHER

☐ REFERENCE